



February 10, 2010

Mr. James J. McNulty
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2010 FEB 16 AM 10:50
PA.P.U.C.
SECRETARY'S BUREAU

A-2009-2143682

Dear Mr. McNulty:

Attached you will find the following:

1. a packet of information previously sent to Ed Berzonsky in response to your letter to Summit Energy Services dated January 14, 2010
2. responses to further clarification of information sent to Summit Energy Services from Ed Berzonsky on January 28, 2010
3. affidavits from the three remaining newspapers with our public notice of intent to do business as an Electric Generation Supplier.

Please advise if anything else is needed in order for our application for a license is required.

Sincerely,

Kathy Sheehan
Transaction Facilitator

Enclosures

Docket No. A-2009-2143682
Summit Energy Services, Inc.
Data Request

1. APPLICANT'S PRESENT OPERATIONS (Application Item No. 7)

Under this application item, you state as follows: "Summit Energy advises its clients in PA regarding the selection of vendors in de-regulated markets as well as advising on best utility options in regulated markets." Also, under Application Item No. 13 relating to START DATE you state as follows: "Please note that Summit has advised on purchases for its PA clients behind Duquesne and Penn Power for several years, and currently has approximately 20 clients in third party transactions totaling approximately 130 unique client accounts. Please note Summit is not paid a brokerage fee for any of those services."

- a. Based on these statements, does Summit Energy consider itself to be currently operating as a broker/marketer of electricity or electricity services in PA?
- b. Does Summit Energy currently act as an actual supplier of electricity to any of its clients in PA?
NOT AT THIS TIME
- c. Does Summit Energy currently pay bills for electricity supply on behalf of its clients?
NO
- d. If Summit Energy does not receive a brokerage fee for its services, explain how Summit Energy is compensated for the services it currently provides its clients in PA.
Monthly Fixed fees charged at corporate level.

2. APPLICANT'S PROPOSED OPERATIONS (Application Item No. 8):

You indicate that Summit Energy proposes to operate as a "Broker/Marketer engaged in the business of supplying electricity." You also state the following: "Summit Energy plans to continue to advise its clients in PA regarding the selection of vendors in de-regulated markets as well as advising on best utility options in regulated markets. In limited instances, Summit may be paid by the supplier, although such fees would be disclosed to buyer in advance of any such transaction."

- a. How will Summit Energy's proposed operations differ from its present operations as described in Application Item No. 7?
Will look to recover fee from suppliers (disclosed to client) for
- b. Does Summit Energy intend to provide strictly broker/consulting services to its clients, or will it also operate as an actual supplier of electricity?
Just broker/consulting *Certain clients in future.*

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SECRETARY'S BUREAU

- c. Does Summit Energy plan on taking title to any electricity in the process of providing service to its clients? *NO*
- d. Will Summit Energy's proposed services include paying bills for electricity supply on behalf of its clients? *NO*
- e. Apart from the limited instances in which Summit Energy would be paid by the supplier as noted in your response under Application Item No. 8, how will Summit Energy be compensated for the services it proposes to provide its clients? *Monthly Fixed Fee*

3. **TAXATION (Application Item No. 15):**

Under Item No. 9 of the TAX CERTIFICATION STATEMENT attached to your application, you are required to provide all applicable tax identification numbers.

- a. You have checked the box labeled "N/A" in section 9A relating to Sales Tax License. Provide an explanation as to why this item is not applicable to Summit Energy. *Summit Energy provides energy management services and is not in the business of selling tangible personal property.*
- b. You have checked the box labeled "N/A" in section 9C relating to Corporate Box Number. However, as a corporation registered to do business in Pennsylvania, you should have been assigned a Corporate Box Number (also called Corporate Account Number) by the Pennsylvania Department of Revenue (DOR). Please provide an amended Tax Certification Statement that includes this Corporate Box Number in Section 9C as required. (Note that the PA DOR phone numbers to call for further information about tax ID numbers are listed at the bottom of the form. The PA Department of Revenue website may be accessed at <http://www.revenue.state.pa.us/>.) *See attached*

4. **STANDARDS, BILLING PRACTICES, TERMS AND CONDITIONS OF PROVIDING SERVICE AND CONSUMER EDUCATION (Application Item No. 17):**

You have provided contact information for the person responsible for handling customer complaints. Please provide similar information for an alternate contact person who will also be responsible for addressing customer service issues.

5. FINANCIAL FITNESS (Application Item No. 19):

Please provide the following information as requested in Part B of this application item:

- a. The professional resumes of Summit Energy's chief officers - *see attached*
- b. The name, title, address, telephone number and FAX number of Summit Energy's custodian for its accounting records

Michele Drechel, Controller *Summit Energy Services*
phone: 502-753-3104 *10350 Ormsby Park Place Suite 400*
fax: 502-753-2248 *Louisville, Ky 40223*

6. MARKETING:

- a. Will Summit Energy be using an independent contractor to provide marketing services? *NO*

- b. Does Summit Energy plan to market its services/products door-to-door, either using its own employees or using independent contractors? *NO*

7. PROOF OF PUBLICATION:

In a letter from the Commission's Secretary, James J. McNulty, dated November 24, 2009, you were informed that pursuant to the Commission's Final Order entered February 13, 1997 at Docket No. M-00960890F0004, notice of filing of your application must be published in newspapers of general circulation covering each county in which you intend to provide service. You were also provided a list of newspapers which cover the publication requirements for Electric Generation Suppliers looking to do business in Pennsylvania. Accordingly, you must provide us with a Certification of Publication, along with a photocopy of the notice, as proof that Summit Energy has met its publication requirements. In addition, you must provide an affidavit certifying that Summit Energy has met these publication requirements. (Note that the applicable affidavit form can be found on page 13 of the Commission's blank EGS application form, accessible from the Commission's website at http://www.puc.state.pa.us/general/onlineforms/pdf/EGS_Licen_App.pdf.)

See attached

Summit Energy Services Inc.
Chief Officers
Biographies

Steve Wilhite: Mr. Wilhite was named President in 2002, and President and CEO in 2007. He has been an integral part of the Summit leadership team since 2001, when he joined the staff to oversee marketing and strategic planning. Before joining Summit, Mr. Wilhite provided energy consulting services to several Fortune 500 companies that compete in the deregulated retail energy industry. Mr. Wilhite has held the following positions: Vice President of Marketing and Operations for FPL Energy Services; Vice President of Marketing for Duke-Louis Dreyfus; Manager of Energy Supply for International Paper; and several positions in Marketing and Rates for Florida Power & Light Co. Education: M.B.A., Duke University (Fuqua), Durham, NC; B.S., Mathematics, Wheaton College, Wheaton, IL

Mark Boyer joined Summit Energy in 1995 and today serves as Executive Vice-President and Chief Operating Officer. Mr. Boyer brought natural gas trading and risk management experience to Summit from his prior positions with EnTrade Corporation and APB Energy. Mr. Boyer started his energy career at EnTrade Corporation in 1986, first selling natural gas to industrial end-users and ultimately leading EnTrade's wholesale gas marketing effort, until EnTrade's sale to Tenneco (El Paso) in 1993. Mr. Boyer then co-founded APB Energy, focusing on the brokerage of energy risk management products. He was appointed COO in 2000. Education: B.A., English, Haverford College, Haverford, PA

George Willett • Chief Financial Officer

Mr. Willett joined Summit in 2008 and serves as the Chief Financial Officer. Prior to joining Summit, Mr. Willett spent over 15 years in a CFO capacity with both private and public companies. In addition, Mr. Willett served as an auditor with PricewaterhouseCoopers.

Education: B.S., Business Administration, Xavier University, Cincinnati, OH

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 SECRETARY'S BUREAU

January 8, 2010

Mr. James J. McNulty
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Dear Mr. McNulty:

Per your attached letter, enclosed are Affidavits from three newspapers that cover the territories for which we will be conducting business as an electric power Marketer/Broker.

Please advise if anything else is needed in order for our application for a license is required.

Sincerely,



Kathy Sheehan
Transaction Facilitator

Enclosures

RECEIVED
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SECRETARY'S BUREAU

Proof of Publication in The Philadelphia Inquirer
Under Act. No 160, P.L. 877, July 9, 1976

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

Anna Dickerson being duly sworn, deposes and says that **The Philadelphia Inquirer** is a daily newspaper published at Broad and Callowhill Streets, Philadelphia County, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the all editions and issues of said daily newspaper on the following dates:

December 14, 2009

Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Anna Dickerson

Sworn to and subscribed before me this 14th day of
December, 2009

Mary Anne Logan
Notary Public

My Commission Expires:

NOTARIAL SEAL
Mary Anne Logan, Notary Public
City of Philadelphia, Phila. County
My Commission Expires March 30, 2013

Copy of Notice of Publication

PA. PUBLIC UTILITY COMMISSION
Summit Energy Services, Inc. for Ap-
plication for License As Marketer/Broker En-
gaged in the Business of Supplying Electricity To The Pub-
lic in the Commonwealth of Pennsylvania; Docket No. A-
009-2143682
On November 4, 2009, Summit Energy Serv-
ices, Inc. filed an application with the Pennsylv-
ania Public Utility Commission (PUC) for a li-
cense to supply electricity for electric generation
services as a broker/marketer, engaged in the
business of supplying electricity. Summit Ener-
gy Services, Inc. proposes to sell electricity and
related services throughout all of Pennsylvania
under the provisions of the new Electricity Gen-
eration Customer Choice and Competition Act.
The PUC may consider this application without
a hearing. Protests directed to the technical or
financial fitness of Summit Energy Services,
Inc. may be filed within 15 days of the date of
this notice with the Secretary of the PUC, P.O.
Box 3265, Harrisburg, PA 17105-3265. You
should send copies of any protest to Summit
Energy Services, Inc. attorney at the address
listed below. Please include the PUC's docket
number on any correspondence, which is A-
009-2143682.
By and through Counsel: Patrick W. Mathingly
Wyatt, Tarrant & Combs, LLP
500 West Jefferson Street, Suite 2800
Louisville, Ky 40202
Phone: 502-589-7294
Fax: 502-589-0309

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JAN

The Patriot-News Co.
812 Market St.
Harrisburg, PA 17101
Inquiries - 717-255-8213

The Patriot-News
Now you know

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SUMMIT ENERGY
10350 ORMSBY PARK PLACE
SUITE 400
LOUISVILLE KY 40223

THE PATRIOT NEWS
THE SUNDAY PATRIOT NEWS

Proof of Publication

Under Act No. 587, Approved May 16, 1929
Commonwealth of Pennsylvania, County of Dauphin} ss

Marianne Miller, being duly sworn according to law, deposes and says:

That she is a Staff Accountant of The Patriot News Co., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office and place of business at 812 to 818 Market Street, in the City of Harrisburg, County of Dauphin, State of Pennsylvania, owner and publisher of The Patriot-News and The Sunday Patriot-News newspapers of general circulation, printed and published at 812 to 818 Market Street, in the City, County and State aforesaid; that The Patriot-News and The Sunday Patriot-News were established March 4th, 1854, and September 18th, 1949, respectively, and all have been continuously published ever since;

That the printed notice or publication which is securely attached hereto is exactly as printed and published in their regular daily and/or Sunday/ Metro editions which appeared on the date(s) indicated below. That neither she nor said Company is interested in the subject matter of said printed notice or advertising, and that all of the allegations of this statement as to the time, place and character of publication are true; and

That she has personal knowledge of the facts aforesaid and is duly authorized and empowered to verify this statement on behalf of The Patriot-News Co. aforesaid by virtue and pursuant to a resolution unanimously passed and adopted severally by the stockholders and board of directors of the said Company and subsequently duly recorded in the office for the Recording of Deeds in Dauphin in Miscellaneous Book "M", Volume 14, Page 317.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE
Application of Summit Energy Services Inc. For Approval To Supply Electricity Services As Broker/Marketer/Engaged in The Business Of Supplying Electricity To The Public in The Commonwealth Of Pennsylvania, Docket No. A-2009-143682.
On November 4, 2009, Summit Energy Services Inc. filed an application with the Pennsylvania Public Utility Commission (PUC) for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Summit Energy Services Inc. proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Summit Energy Services Inc. may be filed within 15 days of the date of this notice with the secretary of the PUC, P.O. Box 8265, Harrisburg, PA 17105-3265. You should send copies of any protest to Summit Energy Services Inc. attorney at the address listed below. Please include the PUC's docket number on any correspondence which is A-2009-143682.
By and through counsel:
Patrick W. Manning
Wright Tarrant & Camb, LLP
500 West Jefferson Street, Suite 2800
Louisville, KY 40202
Phone: 502-582-7294
Fax: 502-589-0309

This ad # 0002031558 ran on the dates shown below:

December 13, 2009

Sworn to and subscribed before me this 28 day of December, 2009 A.D.

Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Sherie L. Kisner, Notary Public
City Of Harrisburg, Dauphin County
My Commission Expires Nov. 28, 2011
Member, Pennsylvania Association of Notaries

The Scranton Times (Under act P.L. 877 No 160. July 9, 1976)
Commonwealth of Pennsylvania, county of Lackawanna

SUMMIT ENERGY SERVICES INC
KATHY SHEEHAN
STE 400 10350 ORMSBY PARK PLACE
LOUISVILLE KY 40223

Account # 445093
Order # 80130766
Ad Price: 215.21

Gina Krushunski
Being duly sworn according to law deposes and says that she is accounting clerk for The Scranton Times, owner and publisher of The Scranton Times, a newspaper of general circulation, established in 1870, published in the city of Scranton, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

12/10/2009

Affiant further deposes and says that neither the affiant nor The Scranton Times is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as to time, place and character or publication are true Gina Krushunski

Sworn and subscribed to before me
this 10th day of December A.D., 2009

Tina N. Gregorski
(Notary Public)

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Tina N. Gregorski, Notary Public
Salem Twp., Wayne County
My Commission Expires Nov. 30, 2010

[Faint, illegible text]

LEGAL NOTICE
PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
Application of Summit Energy Services Inc. for Approval to Supply Electricity Services As Marketer/Broker. Engaged in the Business of Supplying Electricity to the Public in the Commonwealth of Pennsylvania. Docket No. A-2009-2143682. On November 4, 2009, Summit Energy Services Inc. filed an application with the Pennsylvania Public Utility Commission (PUC) for a license to supply electricity for electric generation services as a broker/marketer engaged in the business of supplying electricity. Summit Energy Services Inc. proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act. The PUC may consider this application without a hearing or protests directed to the technical or financial fitness of Summit Energy Services Inc. may be filed within 60 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Summit Energy Services Inc.'s attorney at the address listed below. Please include the PUC's docket number on any correspondence, which is A-2009-2143682. By and through Counsel, Patrick W. Mattingly, Wyatt, Tarrant & Combs, LLP, 1500 West Jefferson Street, Suite 2800, Louisville, Ky 40202, Phone: 502-562-7294, Fax: 502-569-0309.

Clarification of Information

As a clarification to some of the information you provided in your original response to the data request, please answer the following questions, and include your answers to these additional questions with the original response that you file with our Secretary's Bureau as requested above.

1. Based on your response to Question 1.d of our January 14, 2010 data request, it appears that you are currently charging your PA clients a monthly fixed fee for the services you provide. Further, based on your response to Questions 2.a, and 2.e of the data request, it appears that you intend to continue to charge this monthly fixed fee to clients for the services you *will* provide as a licensed broker/consultant, but will *also* charge a brokerage fee to suppliers in certain instances. Is this an accurate understanding of the distinction between how you are currently compensated versus how you intend to be compensated as a licensed broker/consultant?

Our business model currently exists of being compensated by firms at the corporate level nationwide on a monthly fixed fee basis and then we perform activities at the site level in the states such company is located. For example, Kraft Foods is a client headquartered in Illinois, yet we manage their sites throughout North America. For certain other customers, on a go-forward basis, other clients (usually smaller in nature and generally those in commercial real estate business) are likely to be charged based upon "supplier collected" model, though this will be disclosed to client. The fee structures do not overlap.

2. If this understanding is accurate, does this distinction represent the only substantial difference between your current operations and your proposed operations as a licensed broker/consultant?

Correct.

3. Will there be any differences in the types of *services* that you intend to provide as a licensed broker/consultant versus those you now provide to your Pennsylvania clients?

No.

Tax Certification Form

In response to Question No. 3.b of our January 14, 2010 data request, you provided an amended Tax Certification Statement that now includes your Corporate Box Number in Section 9.C of that form. However, the “N/A” box is still checked. Please uncheck that box before filing the amended form with our Secretary’s Bureau.

Please see attached.

Alternate Contact Person

You provided no response to Question No. 4 of our January 14, 2010 data request, which asked you to furnish information for an alternate contact person who would be responsible for addressing customer complaints. Please provide a response to this question.

Kathy Sheehan
Transaction Facilitator
10300 Ormsby Park Place, Suite 400
Louisville, KY 40223
Phone: 502-753-3023
Fax: 502-753-2248

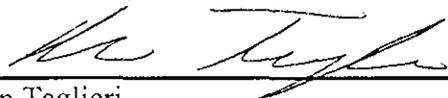
Newspaper Publication

You filed your proof of publication with us from three newspapers: The *Philadelphia Inquirer*, The *Patriot-News*, and The *Scranton Times*. However, since you indicated in your application (Item No. 10 relating to Service Area) that you intend to offer your services throughout the Commonwealth of PA—even though you plan to focus mainly on the service areas of Duquesne, Penn Power, and PPL—you need to publish notice in all six newspapers that were included on

the list provided to you by our Secretary's Bureau. In fact, even if you only plan to operate in the three service areas mentioned, you must still publish notice in all six newspapers to cover those service areas. Therefore, you should publish notice in the remaining newspapers—The *Pittsburgh Post-Gazette*, The *Erie Times–News*, and The *Williamsport Sun Gazette*—and file your proof of publication from those newspapers with our Secretary's Bureau. In addition to filing the proof of publication, you must also complete the affidavit relating to publication of notice found on page 13 of the application package, and file that with our Secretary's Bureau as well.

See attached affidavits from the remaining 3 newspapers.

I, Ron Taglieri, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).



Ron Taglieri
Vice President Regulated Markets

3.

COMMONWEALTH OF PENNSYLVANIA PUBLIC UTILITY COMMISSION

TAX CERTIFICATION STATEMENT

A completed Tax Certification Statement must accompany all applications for new licenses, renewals or transfers. Failure to provide the requested information and/or any outstanding state income, corporation, and sales (including failure to file or register) will cause your application to be rejected. If additional space is needed, please use white 8 1/2" x 11" paper. Type or print all information requested.

1. CORPORATE OR APPLICANT NAME: Summit Energy Services, Inc. 2. BUSINESS PHONE NO. (502-429-3800) CONTACT PERSON(S) FOR TAX ACCOUNTS: Michele Drechsel

3. TRADE/FICTITIOUS NAME (IF ANY)

4. LICENSED ADDRESS (STREET, RURAL ROUTE, P.O. BOX NO.) (POST OFFICE) STATE (ZIP)

10350 Ormsby Park Place, Suite 400, Louisville, KY 40223

5. TYPE OF ENTITY [] SOLE PROPRIETOR [] PARTNERSHIP [X] CORPORATION

8. LIST OWNER(S), GENERAL PARTNERS, OR CORPORATE OFFICER(S)

Table with 2 columns: NAME (PRINT) and SOCIAL SECURITY NUMBER (OPTIONAL). Rows include Steve Wilhite - President, Mark Boyer - Vice President, George Willett - Chief Financial Officer, Michele Drechsel - Secretary and Treasurer.

9. LIST THE FOLLOWING STATE TAX IDENTIFICATION NUMBERS. (ALL ITEMS: A, B, AND C MUST BE COMPLETED):

A. SALES TAX LICENSE (8 DIGITS) APPLICATION PENDING [] N/A [X] B. EMPLOYER ID (EIN) (9 DIGITS) APPLICATION PENDING [] N/A [] C. CORPORATE BOX NUMBER (7 DIGITS) APPLICATION PENDING [] N/A []

10. Do you have PA employes either resident or non-resident? [X] YES [] NO

11. Do you own any assets or have an office in PA? [] YES [X] NO

NAME AND PHONE NUMBER OF PERSON(S) RESPONSIBLE FOR FILING TAX RETURNS PA SALES AND USE TAX, EMPLOYER TAXES, CORPORATE TAXES

Telephone inquiries about this form may be directed to the Pennsylvania Department of Revenue at the following numbers: (717) 772-2673, TDD# (717) 772-2252 (Hearing Impaired Only)

Proof of Publication of Notice in Pittsburgh Post-Gazette

Under Act No 587, Approved May 16, 1929, PL 1784, as last amended by Act No 409 of September 29, 1951

Commonwealth of Pennsylvania, County of Allegheny, ss M. Goodwin, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette and Sun-Telegraph and The Pittsburgh Press and the Pittsburgh Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Pittsburgh Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the _____ regular _____ editions and issues of the said Pittsburgh Post-Gazette a newspaper of general circulation on the following dates, viz:

02 of February, 2010

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Pittsburgh Post-Gazette, that, as such agent, affiant is duly authorized to verify the foregoing statement under oath, that affiant is not interested in the subject matter of the afore said notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

COPY OF NOTICE OR PUBLICATION

	<p style="text-align: center;">PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE</p> <p>Application of Summit Energy Services Inc. For Approval To Supply Electricity Services As Marketer/Broker Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania, Docket No. A-2009-2143682.</p> <p>On November 4, 2009, Summit Energy Services Inc. filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Summit Energy Services Inc. proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.</p> <p>The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Summit Energy Services Inc. may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Summit Energy Services Inc. attorney at the address listed below. Please include the PUC's "docket number" on any correspondence, which is A-2009-2143682.</p> <p>By and through Counsel: Patrick W. Mattingly, Wyatt, Tarrant & Combs, LLP, 500 West Jefferson Street, Suite 2800, Louisville, Ky 40202 Phone: 502-562-7294 Fax: 502-589-0309</p>
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PG PUBLI
hereby ack
been fully

Office

34 Boulevard of the Allies
PITTSBURGH, PA 15222
Phone 412-263-1338

M. Goodwin
PG Publishing Company

Sworn to and subscribed before me this day of:
February 02, 2010

Linda M. Gaertner

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Linda M. Gaertner, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Jan. 31, 2011

Member, Pennsylvania Association of Notaries

STATEMENT OF ADVERTISING COSTS
SUMMIT ENERGY SERVICES
10350 ORMSBY PARK PLACE ST. 4
ATTN: KATHY SHEEHAN
LOUISVILLE KY 40223

To PG Publishing Company

Total ----- \$487.50

Publisher's Receipt for Advertising Costs

NY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, of the aforesaid advertising and publication costs and certifies that the same have

PG Publishing Company, a Corporation, Publisher of Pittsburgh Post-Gazette, a Newspaper of General Circulation

By L. Maria Jucec

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

AFFIDAVIT

[Commonwealth/State] of Pennsylvania

ss.

County of Lycoming

Kim Kepner Affiant, being duly [sworn/affirmed] according to law, deposes and says that:
[He/she is the Clerk (Office of Affiant) of Wright Sew Gazette (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That Kim Kepner, the Applicant herein certifies that it has caused the notice of the filing of its electric generation license application to be published in the following newspapers on 2-2-10 (date)

A copy of the notice as it appeared in each of the above newspapers is attached. Noted on each copy is the newspaper section (name, number or letter), if applicable, and the page number on which the notice appeared.

That Kim Kepner, the Applicant will submit to the Commission the proof of publication from each newspaper in which notice of the application filing was published as soon as it is available.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

Kim Kepner
Signature of Affiant

Sworn and subscribed before me this 4th day of February, 2010

Cathy A. Billey
Signature of official administering oath

My commission expires CATHY A. BILLEY, Notary Public
City of Williamsport, Lycoming County
My Commission Expires May 15, 2011

packers perform packaging, labeling, palletizing, and housekeeping activities in the work cell in addition to those machine activities for which the packer has been or will be certified. Some examples are, but not restricted to, changing the tapes on a lining machine, removing parts or runners from molding press, restating and maintaining operation of equipment. This job requires counting, folding, wrapping, sealing of containers, applying labels, identifying data, performing activities where a certification does or will exist, and supporting the efforts of the team. Packer will perform visual inspection, maintain the work area in a clean, neat and orderly fashion and follow prescribed safety regulations. Must be able to

OATH of PUBLICATION
In
THE ERIE TIMES-NEWS
COMBINATION EDITION

SUMMIT ENERGY SERVICES
10350 ORMSBY PARK PL STE 400
LOUISVILLE KY 40223

REFERENCE: L0004487
1891670 PUBLIC UTILITY COMMI

STATE OF PENNSYLVANIA)
COUNTY OF ERIE) SS:

Rosanne Cheeseman being duly sworn, deposes and says that she is the Publisher of the Times Publishing Company, which publishes: the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, successor, by consolidation, of the Morning News, established January 1957, and the Erie Daily Times, established April 1888, daily newspapers of general circulation and published at Erie, Erie County, Pennsylvania, and that the notice of which the attached is a copy published, in the regular editions of said newspaper of the dates referred to below. Affiant further deposes that she is duly authorized by the TIMES PUBLISHING COMPANY, publisher of The Erie Times-News to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the forgoing statement as to time, place and character of publication are true.

PUBLISHED ON: 01/31

TOTAL COST: 745.00 AD SPACE: 18.000 INCH
FILED ON: 01/31/10

Sworn to and subscribed before me this

1 day of February 2010 Affiant:

NOTARY

TAMI J. BROWN, NOTARY PUBLIC
ERIE, ERIE COUNTY, PENNA.
MY COMMISSION EXPIRES ON MARCH 30, 2010

NOTARIAL SEAL
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ERIE, ERIE COUNTY, PENNA.
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PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE

Application of Summit Energy Services Inc.
For Approval To Supply Electricity services As
Marketer/Broker Engaged In The Business Of
Supplying Electricity, To The Public In The
Commonwealth Of Pennsylvania, Docket No.
A-2009-2143682.

On November 4, 2009, **Summit Energy Services Inc.** filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. **Summit Energy Services Inc.** proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without hearing. Protests directed to the technical or financial fitness of **Summit Energy Services Inc.** may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to **Summit Energy Services Inc.** attorney at the address listed below. Please include the PUC's "docket number" on any correspondence, which is A-2009-2143682.

By and through Counsel: **Patrick W. Matting**
Wyatt, Tarrant & Combs, LLP
500 West Jefferson Street, Suite 2800
Louisville, Ky 40202
Phone: 502-562-7294
Fax: 502-589-0309